

REMARKS

While the amendment of claim 24 touches the merits of the application under examination, it is respectfully requested that it be admitted in accordance with 37 C.F.R. § 1.116(b) as being necessary to place the case into condition for allowance and having not been earlier presented due to the applicant's failure to appreciate the full extent of the meaning that the Examiner was giving to the phrase "different types of media" in claim 24. Before entry of this Amendment, claims 1-8, 12-20, 23, 24 and 26-28 were pending in the application, and claims 9-11, 21, 22 and 25 were cancelled. After entry of this Amendment, the number of total claims has not been increased, and the number of independent claims has not been increased beyond the number for which payment previously had been made.

The following is a brief summary of the Final Examiner's Action of November 9, 2005. Claims 24, 26 and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ruger et al (U.S.P. No. 5,122,270) in view of Hiasa et al (U.S.P. No. 5,607,595). Claims 1-8, 12-20 and 23 were allowed. Claim 28 was objected to as being dependent upon a rejected base claim.

In the Final Office Action, the following position is taken concerning the rejection of claims 24, 26 and 27 under 35 U.S.C. 103(a) over Ruger et al in view of Hiasa et al and the meaning of the term "different types of media" as used in applicant's claim 24:

It is pointed out, however, that the term "different types of media" is broad enough to include filtration media which differ merely in density or fiber compaction, and does not require media having different chemical compositions. Accordingly, since the individual filtration zones of the Ruger filtration device, by applicant's own admission (page 9, first full paragraph of the response), have "differing filtering properties, these zones are deemed to contain different

"types" of filtration media, as required by claims 24, 26 and 27.

Applicant has amended claim 24 to clarify that the different types are indeed chemically different types of wound media. As the above-quoted language in the Office Action necessarily anticipated that this amendment would be made, applicant respectfully requests that it be entered as a necessary amendment that was not earlier presented because of the lack of understanding about the meaning being given to the phrase in question until it was explained in the final Office Action. The Amendment does not require undue additional work or searching by the Examiner.

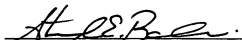
Applicant therefore respectfully submits that claims 24, 26 and 27 are patentable under 35 U.S.C. 103(a) over Ruger et al in view of Hiasa et al.

With the present Amendment, applicant respectfully requests reconsideration and reexamination and submits that all pending claims are allowable over the art of record and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at his convenience should he have any questions regarding this matter or require any additional information.

Respectfully submitted,

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